IFW Approved for use through 07/31/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE ork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/810.963 TRANSMITTAL Filing Date 03/26/2004 FORM First Named Inventor Rueckes, et al. Art Unit (to be used for all correspondence after initial filing) 2818 **Examiner Name TBA** Attorney Docket Number 112020.146US2 NAN-22 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance communication Fee Transmittal Form Drawing(s) to Group Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences **Appeal Communication to Group** Petition (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Provisional Application Proprietary Information After Final Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Enclosure(s) (please Terminal Disclaimer Identify below): Extension of Time Request - Postcard Request for Refund **Express Abandonment Request** CD, Number of CD(s) Information Disclosure Statement Remarks Certified Copy of Priority Document(s) 1. PTO Form 1449 (1 pg.) 2. 1 Publication Response to Missing Parts/ Incomplete Application Response to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Michael A. Diener Individual name Signature

#### CERTIFICATE OF TRANSMISSION/MAILING

Date

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

the date shown below.		
Typed or printed name	Tina M. Dougal	
Signature	June M. Worefal	Date 4-12-03

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



## **PATENT**

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

RUECKES, et al.

Application No.:

10/810,963

Examiner: Unknown

Filed:

March 26, 2004

Group Art Unit: 2818

For:

Non-Volatile RAM Cell and Array Using Nanotube Switch Position

for Information State

Atty. Docket No.:

112020.146 US2 (NAN-22)

#### CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on April 2, 2005.

Tina M. Dougal

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

# INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the documents listed on the attached Form PTO-1449.

This Information Disclosure Statement is being filed prior to the mailing date of a first Office Action on the merits. No certification or fee is believed to be due. If, however, a fee is due, please charge our Deposit Account No. 08-0219.

Appln. No: 10/810,963 RUECKES, et al.

Page 2

Only a copy of the listed foreign publication is enclosed. Copies of the U.S. Patents and U.S. Publications, although not enclosed, can be provided upon request.

Applicants request that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next communication.

Respectfully submitted,

Dated: April 12, 2005

Michael A. Diener

Registration No. 37,122 Attorney for Applicants

Wilmer Cutler Pickering Hale and Dorr LLP 60 State Street Boston, Massachusetts 02109 617-526-6000 (telephone) 617-526-5000 (facsimile) U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it contains a valid QMB control number.

Substitute for form 1449/PTO		Complete if Known			
INFORMATION DISCLOSURE STATEMENT BY APPLICANT			Application No.	10/810,963 March 26, 2004 RUECKES, et al.	
			Filing Date		
(Use as many sheets as necessary)		First Named Inventor			
			Art Unit	2818	
			Examiner Name	TBA	
Sheet	1	of 1	Attorney Docket Number	112020.146 US2 NAN-22	

			. S. PATENT DOCUI		
Examiner Initials*	Cite No.1	Document Number  Number-Kind Code <sup>2(If known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appea
1DF		US-2004/0175856 A1	09-09-2004	JAIPRAKASH et al.	
0115	C	US-2004/0181630 A1	09-16-2004	JAIPRAKASH et al.	
	8	US-2005/0041465 A1	02-24-2005	RUECKES et al.	
APR 1 4 201	1 6	US-2005/0047244 A1	03-03-2005	RUECKES et al.	
PADEM	G.	US-2005/0056877 A1	03-17-2005	RUECKES et al.	
TRADEM	3	US-6,548,841	04-15-2003	FRAZIER et al.	
		US-6,803,840	10-12-2004	HUNT et al.	
		US-6,809,465	10-26-2004	JIN	
		US-			
		FOF	REIGN PATENT DOC		
Examiner Initials*	Cite No.1	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages
mitais	110.	Number-Kind Code <sup>2(If known)</sup>	IVIIVI-DO-1111		or Relevant Figures Appea
11		WO 04/065657 A1	08-05-2004	Nantero, Inc.	
	_				

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
			_

Examiner	Date	
Signature	Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at <a href="https://www.usoto.gov">www.usoto.gov</a> or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is established to take 2 hours to complete, including gathering, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case.

Any comments on the amount of time your depending upon the individual case.

Any comments on the amount of time your depending upon the individual case.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the OSPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is established to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.